

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: JULY 12, 2006**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: ROC-13878 - APPLICANT/OWNER: RICHMOND AMERICAN HOMES OF NEVADA, INC.**

---

**\*\* CONDITIONS \*\***

**STAFF RECOMMENDATION: DENIAL.** If Approved, subject to:

**Planning and Development**

1. Condition Number 9 of the Site Development Plan Review (SDR-6727) shall be amended to state "Property line walls shall be a decorative block wall, with at least 20 percent contrasting materials, and it shall not exceed a height of eleven feet, including the height needed for retaining. Wall heights shall be measured from the side of the wall with the least vertical exposure above the finished grade, unless otherwise stipulated. Where a greater wall height is needed, it shall be stepped back or terraced by a distance of five feet so no portion thereof exceeds a height of eleven feet".
2. Conformance to all other conditions of approval of Site Development Plan Review (SDR-6727).

**\*\* STAFF REPORT \*\***

**APPLICATION REQUEST**

This is a request for a Review of Condition Number 9 of an approved Site Development Plan Review (SDR-6727) to allow an 11 foot wall where eight feet was approved for a proposed subdivision on 6.88 acres adjacent to the southwest corner of Holly Avenue and Ferrell Street.

**EXECUTIVE SUMMARY**

The original Site Development Plan Review (SDR-6727) was approved on 07/20/05. Condition Number 9 required eight (8) foot maximum wall heights. The applicant is requesting the subject Review of Condition to increase the height of the property line walls to eleven (11) feet. The applicant has not provided adequate justification to allow eleven (11) foot walls. The requested deviation cannot be supported as it is inconsistent with Title 19 and the approved Site Development Plan Review.

**BACKGROUND INFORMATION**

***A) Property History***

- |          |   |
|----------|---|
| 04/02/03 | The City Council approved a request for Annexation (A-0029-02) of a portion of the subject property. The effective date was 04/05/03. The Planning Commission and staff recommended approval of the request.  |
| 02/04/04 | The City Council approved a request for Annexation (ANX-3344) of a portion of the subject property. The effective date was 02/13/04. The Planning Commission and staff recommended approval of the request.   |
| 03/25/04 | The Planning Commission tabled at the applicant's request an application for Rezoning the subject tract from R-E (Residence Estates) and C-1 (Limited Commercial) to: R-PD21 (Residential Planned Development - 21 Units per acre). The staff recommended approval of the request.  |
| 07/20/05 | The City Council approved a Rezoning (ZON-6726) from R-E (Residence Estates), R-1 (Single Family Residential), and C-1 (Limited Commercial) to R-PD11 (Residential Planned Development - 11 Units per Acre) and a Site Development Plan Review (SDR-6727) for a 76-lot single-family residential development on 6.88 acres adjacent to the southwest corner of Holly Avenue and Ferrell Street. The Planning Commission and staff recommended approval of both items on 06/23/05. |

***B) Pre-Application Meeting***

A pre-application meeting is not required for this application.

***C) Neighborhood Meetings***

A neighborhood meeting is not required for this application, nor was one held.

**DETAILS OF APPLICATION REQUEST**

***A) Site Area***

Acres: 6.88

***B) Existing Land Use***

Subject Property: Undeveloped  
Single-family dwellings  
North: Multi-family dwellings  
Duplexes  
South: Undeveloped  
Single-family dwellings  
East: Single-family dwellings  
West: Undeveloped

***C) Planned Land Use***

Subject Property: M (Medium Density Residential)  
North: M (Medium Density Residential)  
South: ML (Medium-Low Density Residential)  
MLA (Medium-Low Attached Density Residential)  
East: L (Low Density Residential)  
ML (Medium-Low Density Residential)  
West: M (Medium Density Residential)

***D) Existing Zoning***

Subject Property: R-E (Residence Estates) and R-1 (Single Family Residential) under  
Resolution of Intent to R-PD11 (Residential Planned Development  
– 11 Units per Acre)  
C-1 (Limited Commercial)  
North: R-4 (High Density Residential)  
South: R-E (Residence Estates)  
R-2 (Medium-Low Density Residential)  
East: R-E (Residence Estates)  
R-1 (Single Family Residential)  
West: R-2 (Medium-Low Density Residential)

***E) General Plan Compliance***

The M (Medium Density Residential) land use classification of the Southeast Sector of the General Plan permits a maximum density of 25 dwelling units per gross acre. The proposed R-PD11 (Residential Planned Development - 11 Units per acre) Zone would be allowed in the underlying land use classification.

| <b><i>SPECIAL DISTRICTS/ZONES</i></b>             | <b>Yes</b> | <b>No</b> |
|---|------------|-----------|
| <b>Special Area Plan</b>                          |            | <b>X</b>  |
| <b>Special Overlay District</b>                   |            | <b>X</b>  |
| <b>Trails</b>                                     |            | <b>X</b>  |
| <b>County/North Las Vegas/HOA Notification</b>    |            | <b>X</b>  |
| <b>Development Impact Notification Assessment</b> |            | <b>X</b>  |
| <b>Project of Regional Significance</b>           |            | <b>X</b>  |

**ANALYSIS**

***A) General Analysis and Discussion***

The applicant is requesting the subject Review of Condition to allow an eleven (11) foot perimeter wall where eight (8) feet is the maximum height allowed. The applicant indicates that the review is needed as a sound business practice, which will benefit the consumer. The eleven (11) foot walls are inconsistent with the surrounding developments. The walls will create a negative aesthetic appearance, which will isolate the new development from the existing development in the area. The Review of Condition cannot be supported as the applicant has created a self imposed hardship, which is a deviation from the approved Site Development Plan Review.

- **Conditions of Approval from Site Development Plan Review (SDR-6727).**

**Planning and Development**

1. Approval of an application for Rezoning (ZON-6726) the subject property to R-PD11 (Residential Planned Development - 11 Units per acre) by the City Council.
2. This Site Development Plan Review shall expire two years from the date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations date stamped 06/13/05, except as amended by conditions herein.
4. The standards for this development shall be established as follows:

| Standards             |                   |
|-----------------------|-------------------|
| Min. Lot Size         | 2,040 square feet |
| Min. Lot Width        | 30 feet           |
| Min. Setbacks         |                   |
| • Front (to building) | 10 feet           |
| • Front (to garage)   | 18 feet           |
| • Side                | 3.5 feet          |
| • Corner              | 8 feet            |
| • Rear (ground level) | 10 feet           |
| • Rear (upper levels) | 7 feet            |
| Max. Lot Coverage     | 80 percent        |
| Max. Building Height  | 34 feet           |

The front setbacks shall be measured from back of sidewalk or from back of curb if no sidewalk is provided.

5. The site plan shall be revised and approved by staff of the Planning and Development Department prior to the time application is made for a tentative map to reflect the conditions of approval herein. House plan (Plan 1552) with tandem garage parking shall not be permitted, unless one additional external space at the side of the home is provided.
6. Landscaping and a permanent underground sprinkler system for common areas shall be installed as required and be permanently maintained in a satisfactory manner. (Failure to properly maintain required landscaping and underground sprinkler systems may result in legal action taken by the City of Las Vegas.)
7. Air conditioning units shall not be mounted on rooftops.
8. All utility boxes exceeding 27 cubic feet shall meet the standards of Title 19.12.050.
9. Property line walls shall be a decorative block wall, with at least 20 percent contrasting materials, and it shall not exceed a height of eight feet, including the height needed for retaining. Wall heights shall be measured from the side of the wall with the least vertical exposure above the finished grade, unless otherwise stipulated. Where a greater wall height is needed, it shall be stepped back or terraced by a distance of five feet so no portion thereof exceeds a height of eight feet.
10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and functioning prior to construction of any combustible structures.
11. All City code requirements and design standards of all City departments shall be satisfied.
12. No turf shall be placed in the non-recreational common areas, such as medians and amenity zones in this development.

**Public Works**

13. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.
14. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
15. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
16. Site development to comply with all applicable conditions of approval for Rezoning Action ZON-6726 and all other applicable site-related actions.
17. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first. We note that this site plan has been designed without knuckles.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

12

**ASSEMBLY DISTRICT**      6

**SENATE DISTRICT**      4

**NOTICES MAILED**      325 by Planning Department

**APPROVALS**      0

**PROTESTS**      0